

REMARKS

This Amendment is responsive to the Office Action identified above, and is further responsive in any other manner indicated below.

REPLACEMENT ABSTRACT - NOT EXCEEDING 150 WORDS

Although there had been no objection made to the Abstract in the Office Action, Applicant noted that the Abstract exceeded 150 words. Accordingly, a replacement Abstract is provided herewith which complies with the 37 CFR §1.72(b) requirement that the Abstract not exceed 150 words. In the event that the present replacement Abstract is itself found not to be of proper form, the Examiner is herein authorized to amend to a suitable replacement Abstract. With respect to any past, present or any ultimately implemented Abstract or amendment thereof, Applicant would like to reiterate and embrace the 37 CFR §1.72(b) provisions that "The abstract will not be used for interpreting the scope of the claims."

PENDING CLAIMS

Claims 1-11 were pending in the application, under consideration and subject to examination at the time of the Office Action. Unrelated to any prior art, scope or rejection, appropriate Claims have been amended, added or deleted in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, the amendments to the claims are unrelated to any prior art or scope adjustment, and are simply clarified claims in which Applicant is presently interested. At entry of this

paper, At entry of this paper, Claims 3, 4, 6, 7, 8, 9, 10 and 11 will be pending for further consideration and examination in the application.

REWRITTEN ALLOWABLE CLAIMS

Claims 3, 4, 6, 7, 8, 9 and 10 have been indicated as being allowable if rewritten, as indicated within the section on page 3 of the Office Action, and at least appropriate base ones of such claims have been so rewritten. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

REWRITTEN MISSED/ALLOWABLE CLAIM

The Office Action missed and/or did not treat Claim 11. In view of the fact that such Claim 11 was nowhere objected to or rejected, and given the fact that a majority of other ones of Applicant's claims (excepting for Claims 1, 2 and 5) have been allowed, Claim 11 was taken by Applicant as being allowable if rewritten. Consideration and allowance of such claim are respectfully requested. At this point, it is respectfully submitted as a reminder that, if art is now cited against Claim 11, then it would not be proper to make a next action final.

35 USC §103 REJECTION - OBSOLETE VIA CLAIM CANCELLATION

The 35 USC §103 rejection of Claims 1, 2 and 5 as being unpatentable over Phillips *et al.* (US 4,519,217 A) is respectfully traversed, but the present cancellation of such claims (without prejudice or disclaimer) to obtain a patent (without prejudice

or disclaimer) on ones of the allowable claims as quickly as possible, has rendered such rejection(s) obsolete, and thus gratuitous traversal arguments concerning the rejection(s) are omitted for brevity. Further discussions/arguments concerning such rejection(s) are left for the future if/when appropriate. Based upon the following, reconsideration and withdrawal of such rejection(s) are respectfully requested.

The above statements, or any present cancellation of claims (without prejudice or disclaimer), should not be taken as an indication or admission that the rejection was valid, or as a disclaimer of any scope or subject matter, but is merely use of a procedural approach to obtain a patent (without prejudice or disclaimer) on ones of the allowable claims as quickly as possible.

ALL CLAIMS IN CONDITION FOR ALLOWANCE

In view of the fact that all prior art rejected claims have now been canceled without prejudice or disclaimer, and in view of the fact that all remaining claims have either been already allowed and/or rewritten into independent form, it is respectfully submitted that all presently pending claims are now in condition for allowance. A Notice of Allowance with respect to the present application is respectfully requested.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer of any scope or subject matter. Further, Applicant respectfully reserves all rights to file subsequent related

application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

EXAMINER INVITED TO TELEPHONE

The Examiner is invited to telephone the undersigned at the local D.C. area number 703-312-6600, to discuss an Examiner's Amendment or other suggested actions for accelerating prosecution and moving the present application to allowance.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

This Amendment is being filed within the shortened statutory period for response set by the 27 December 2004 Office Action (27 March 2005 being a Sunday), and therefore, no Petition or extension fee is required. To whatever other extent is actually necessary, Applicant respectfully petitions the Commissioner for an extension of time under 37 CFR §1.136. Also, a Form PTO-2038 is submitted herewith and authorizes payment of the additional claims fee required for entry of

this paper. Please charge any actual fee deficiency to ATS&K Deposit Account No.
01-2135 (as Case No. 500.43225X00).

Respectfully submitted,



Paul J. Skwierawski
Registration No. 32,173
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3873, USA
Telephone 703-312-6600
Facsimile 703-312-6666

Attachment:
PTO-2038 (Fee Code 1201)